IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Crl.Rev.Pet.No. 824 of 2007(E)

CRA.17/2006 of DISTRICT & SESSIONS COURT, ERNAKULAM
ST.4517/2002 of JUDL.MAGISTRATE OF FIRST CLASS, PERUMBAVOOR

.....

REVN. PETITIONER: REVISION PEITTIONER/APPELLANT/ACCUSED

SREEDHARAN,A GED 52 YEARS, S/O.KUTTAPPAN
MUNDACKAL HOUSE, ELLITHODU, MALAYATTOOR.

BY ADV. SRI.K.SUNILKUMAR

RESPONDENTS: RESPONDENTS/RESPONDENTS/COMPLAINANT/STATE1

---

1. M.S.BALAN,MUTHARA VEEDU,PALLIPRAM,
   MUDICKAL P.O.

2. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI. BREEZE M.S., PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

==========

CRL. R.P. NO. 824 OF 2007

==========

Dated this the 28th day of February 2007

O R D E R

The revision petitioner stands convicted for the offence under section 118 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo imprisonment till rising of the court and to pay a compensation of Rs. 65,000/- vide section 357(3) Crl. P.C and in default to undergo simple imprisonment for 45 days.

2. The revision petitioner has only sought for modification of sentence and also for time to make the payment. It is submitted that the cheque amount was only Rs.50,000/-. The trial court had directed the revision petitioner/accused to pay a compensation of Rs.51,000/- which has been enhanced by the appellate court to Rs. 65,000/-. In the circumstances, sentence is modified to imprisonment till rising of the court and to pay a compensation of Rs. 55,000/- to the complainant and in default he shall undergo simple imprisonment for 45 days. The revision

petitioner is granted four months time from today onwards to make the payment. The accused shall appear before Judicial First Class Magistrate, Perumbavoor on 26.06.2007. NBW if pending shall be kept in abeyance.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV